

# North Dakota Board of Nursing

## Meeting Minutes – September 15, 2005

Call to Order: September 15, 2005 at 8:30 a.m. – State Water Commission Bldg Meeting Room, 900 E Blvd, Bismarck ND

Roll Call: Nine board members present as follows:

Claudia Dietrich, RN, President	Nelson (Buzz) Benson, RN
JoAnn Sund, RN, Vice-President	Donna Hegle, RN
Roxane Case, Public Member, Treasurer	Renee Olson, LPN
Metta Schell, LPN	Mary Tello-Pool, LPN
Helen Melland, RN	

Staff Present:

Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director
Patricia Hill, RN, Asst. Director for Practice & Discipline	Linda Shanta, RN, Associate Director for Education
Julie Schwan, Admin Services Coordinator	

Other observers present are indicated on the meeting roster.

### MINUTES REFLECT ACTIVE AGENDA ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.

AGENDA ITEM	ACTION
Environmental Scan	<p>Topics discussed during the environmental scan included the following:</p> <ul style="list-style-type: none"> <li>◆ Linda Shanta thanked the Board for her receipt of the NEL.</li> <li>◆ An Aids Symposium was held at Concordia College.</li> <li>◆ Several of the health care organizations have been surveyed by JCAHO and NDDOH.</li> <li>◆ Restructuring and vacancies of nurses was reported in a number of organizations.</li> <li>◆ UND has received funding for an interdisciplinary research building.</li> <li>◆ Disaster Health services at the state and federal level was discussed.</li> </ul>
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda.</p> <p><i>Motion:</i> Olson, seconded by Schell to:  <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            9 yes, 0 no, 0 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. No changes were identified.</p> <p><i>Motion:</i> Melland, seconded by Olson to:  <b>ADOPT THE AGENDA AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            9 yes, 0 no, 0 absent. Motion carried.</p>
1.3 Open Forum (9:00 a.m.)	No one was present to address the board during open forum. The open forum closed at 9:15 a.m.
2.1 July 21-22, 2005 Meeting Minutes	<p><i>Discussion:</i> The minutes of the July 21-22, 2005 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Case, seconded by Benson to:  <b>APPROVE THE MINUTES OF THE JULY 21-22, 2005 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            9 yes, 0 no, 0 absent. Motion carried.</p>
3.1 Financial Statements	Financial Statements through August 31, 2005 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Income is at 7% of budgeted and expenses at 14% of budgeted.
3.2 Strategic Planning for 2006-2009	<p><i>Discussion:</i> The Board reviewed a proposal from Dr. Jon Martinson for facilitator for updating the board's strategic plan for 2006-2009.</p> <p><i>Motion:</i> Tello-Pool, seconded by Olson to:  <b>ACCEPT THE PROPOSAL SUBMITTED BY DR. JON MARTINSON TO BEGIN STRATEGIC PLANNING JANUARY 2006.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            9 yes, 0 no, 0 absent. Motion carried.</p> <p>At the last meeting, the board agreed to invite Joey Ridenour, Executive Director of the AZ Board of Nursing to facilitate generative thinking for the 2006-2009 Strategic Plan. Ms. Ridenour is not available during the November board meeting, and staff request the board consider changing the date of the November meeting one week earlier, to November 10-11, 2005. After discussion, the board directed Kalanek to contact Ms. Ridenour for a possible date in January.</p>

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AGENDA ITEM	ACTION										
4.0 (a) FY 2004-2005 PVR Case Resolution Summary	The board reviewed the 2004-2005 Potential Violation Report Case Resolution Summary. 83 PVRs were received, 94 cases were resolved, which includes cases resolved from the previous fiscal year. The average number of days from receipt to resolution is 83 days for RN/LPN, and 76 days for UAP.										
4.0 (b) FY 2004-2005 Positive Response Resolution Summary	The board reviewed the 2004-2005 Positive Response Resolution Summary. Statistics were available for the past two fiscal years. The number of applications received with positive responses to the regulatory questions were 137 for RN/LPN and 211 for UAP.										
4.1 Administrative Settlement for Practice Without a License/Registration	<p><i>Discussion:</i> One individual has submitted an administrative settlement for practice without a license/registration since the last meeting.</p> <p><i>Motion:</i> Sund, seconded by Schell to:</p> <p><b>ACCEPT THE ADMINISTRATIVE SETTLEMENT FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR:</b></p> <table><tr><th>Name</th><th>Lic/Reg #</th><th>City, State</th><th>Sanction</th><th>Penalty Fee</th></tr><tr><td>Hoistad, Rachael</td><td>L10688</td><td>Forman, ND</td><td>Reprimand</td><td>\$1000</td></tr></table> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Sanction	Penalty Fee	Hoistad, Rachael	L10688	Forman, ND	Reprimand	\$1000
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Hoistad, Rachael	L10688	Forman, ND	Reprimand	\$1000							
4.41 Stipulation for Settlement – Deanna Nelson, R27356	<p><i>Discussion:</i> A Stipulation for Settlement was received from Deanna Nelson, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (9) and NDAC 54-09-02-04 (2).</p> <p><i>Motion:</i> Olson, seconded by Sund:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DEANNA NELSON, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"><li>• <b>INDEFINITELY SUSPEND HER RN LICENSE (MINIMUM SIX MONTHS);</b></li><li>• <b>ASSESS A \$500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li><li>• <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li></ul> <p><i>Roll call vote:</i> Benson, recuse; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>										
4.42 Stipulation for Settlement – Loraine Price, R29605	<p><i>Discussion:</i> A Stipulation for Settlement was received from Loraine Price, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (5) (6) (7).</p> <p><i>Motion:</i> Tello-Pool, seconded by Sund:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LORAINE PRICE, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"><li>• <b>ISSUE A REPRIMAND;</b></li><li>• <b>ASSESS A \$1000.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li><li>• <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li></ul> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>										
4.71 Request for Reinstatement – Marie Kieley, R27556	<p><i>Discussion:</i> Marie Kieley was present via teleconference with the board to request reinstatement of her encumbered RN license. Hill reviewed Ms. Kieley's current board order, and terms and conditions of the encumbrance. Ms. Kieley has completed the terms and conditions of her order. Ms. Kieley discussed her current medical issues with the board.</p> <p><i>Motion:</i> Sund, seconded by Melland:</p> <p><b>ACCEPT MARIE KIELEY'S REQUEST FOR REINSTATEMENT OF HER RN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER DATED JANUARY 29, 2004.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>										
4.72 Request for Reinstatement – Linda Schmidt, R27164	<p><i>Discussion:</i> Linda Schmidt was present via teleconference with the board to request reinstatement of her encumbered RN license. Hill reviewed Ms. Schmidt's current board order, and terms and conditions of the encumbrance. Ms. Schmidt has completed the terms and conditions of her order.</p> <p><i>Motion:</i> Sund, seconded by Tello-Pool to:</p> <p><b>ACCEPT LINDA SCHMIDT'S REQUEST FOR REINSTATEMENT OF HER RN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER DATED SEPTEMBER 19, 2002.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>										

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4.91 Other – Mary Mrozla – NNAAP Applicant	<p><i>Discussion:</i> Mary Mrozla submitted a NNAAP application with a positive response to the criminal history question. Ms. Mrozla was available via teleconference, and Brian Bergeson, SAAG was present for this agenda item. Hill reviewed Ms. Mrozla's application and supporting documents related to her criminal charges. According to her sentence, she will be on supervised probation until January 2010. According to Ms. Mrozla, she may be completed with supervised probation next summer because of her successful rehabilitation. The board discussed the different dates of possible completion of the probationary period resulting from a first offense that occurred in 2003, and a second offense occurring approximately one year ago. Ms Mrozla discussed her success in treatment and the progress she has made. She discussed her plans to attend a nursing program, which requires a CNA registration. The board requested that Ms. Mrozla submit additional information related to the most recent conviction at the January meeting and additional evidence of rehabilitation.</p> <p><i>Motion:</i> Melland, seconded by Benson: <b>TABLE THE DECISION ON MARY MROZLA'S APPLICATION UNTIL THE JANUARY MEETING AND REQUESTING ADDITIONAL INFORMATION RELATED TO THE STATUS OF LATEST CRIMINAL CONVICTION.</b></p> <p><i>Motion Withdrawn</i></p> <p><i>Motion:</i> Sund, seconded by Hegle to: <b>DENY MARY MROZLA'S APPLICATION BASED ON NDCC 43-12.1-14 (1).</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.21 Excelsior Program – Proposed Preceptor Model	<p><i>Discussion:</i> Dr. Sharon Boni, Associate Dean of Excelsior College was present via teleconference. At the July meeting, representatives of Excelsior College were present to review the Excelsior College program associate degree program with the board. The board reviewed a proposed Preceptorship Syllabus submitted by Excelsior College to meet the requirements for clinical experience for ND. The preceptorship would consist of 150 hours of clinical experience, in addition to the 48-50 hours of CPNE clinical testing. The minimum clinical experience offered in a ND program is approximately 200 hours. Dr. Boni indicated this preceptorship would be available only for the four students that are near completion of the program. The remaining students will be offered a refund if they wish to withdraw from the program as they will not meet license by examination requirements for ND. The board directed staff to prepare an article for the Dakota Nurse Connection regarding the board's decision that clinical practice is an integral part of nursing education.</p> <p><i>Motion:</i> Hegle, seconded by Tello-Pool to: <b>ACCEPT THAT THE PROPOSED PRECEPTOR MODEL PRESENTED BY EXCELSIOR COLLEGE MEETS THE CLINICAL EXPERIENCE COMPONENT OF NDAC ARTICLE 54-03.2-06-07 CURRICULUM TO QUALIFY THE FOLLOWING STUDENTS FOR LICENSURE BY EXAMINATION IF THE PROGRAM IS COMPLETED BY DECEMBER 31, 2006:</b></p> <ul style="list-style-type: none"> <li>♦ AUDREY GERINGER</li> <li>♦ MICHELLE MARTIN</li> <li>♦ MARYKAY OTTENBACKER</li> <li>♦ JOANNE VETTER .</li> </ul> <p><i>Roll call vote:</i> Benson, no; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 1 no, 0 absent. Motion carried.</p>
5.22 NDSU Request for consideration of Unqualified Faculty	<p><i>Discussion:</i> NDSU has two part time clinical faculty members that are unqualified as they do not have a master's degree and are not enrolled in a master's program. NDSU has attempted to hire master's prepared faculty with no success. The program has 87.5% of all faculty members that are qualified. Because the unqualified faculty are not enrolled in master's programs and have no intention to do so, the program does not meet the requirements of the rules for unqualified faculty.</p> <p><i>Motion:</i> Sund, seconded by Olson to: <b>ISSUE A CITATION FOR PARTIAL COMPLIANCE FOR NDSU'S - UNQUALIFIED FACULTY NDAC 54-03.2-04-04 &amp; NDAC 54-03.2-04-08 AND THE PROGRAM MUST PROVIDE EVIDENCE OF COMPLIANCE WITH NDAC 54-03.2-04-08 BY SEPTEMBER 1, 2006. STATUS OF INITIAL APPROVAL WILL REMAIN UNCHANGED (54-03.2-07-02).</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, abstain; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 abstain, 0 absent. Motion carried.</p>
5.23 MSU Report related to Unqualified Faculty	<p><i>Discussion:</i> The board reviewed a report from Minot State University Chair Dr. Elizabeth Pross that indicates faculty at Minot State meet the requirements for unqualified faculty.</p> <p><i>Motion:</i> Sund, seconded by Case to: <b>ACCEPT MSU'S REPORT THAT DEMONSTRATES THE REQUIREMENTS FOR UNQUALIFIED FACULTY NDAC 54-03.2-04-04 &amp; NDAC 54-03.2-04-08 HAVE BEEN MET.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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<b>AGENDA ITEM</b>	<b>ACTION</b>
5.24 Williston State College notification of voluntary closure AASPN Program	<p><i>Discussion:</i> The board reviewed a letter from Williston State College President Dr. Joseph McCann requesting the voluntary closure of Williston State College Associate of Applied Science Degree Practical Nursing Program. The college will continue to offer programs through the Dakota Nursing Program.</p> <p><i>Motion:</i> Sund, seconded by Olson to:  <b>ACCEPT THE NOTIFICATION FROM WILLISTON STATE COLLEGE FOR VOLUNTARY CLOSURE OF THE AASPN PROGRAM AT WILLISTON STATE COLLEGE AS REQUIRED BY NDAC CHAPTER 54-03.2-09 CLOSURE OF A NURSING EDUCATION PROGRAM.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
5.25 DNP report on Unqualified Faculty for PN & ADN Program	<p><i>Discussion:</i> The Dakota Nursing Program has three faculty that are unqualified, and it was noted that all are enrolled and progressing towards a master's program. The program meets the requirements for unqualified faculty.</p> <p><i>Motion:</i> Hegle, seconded by Sund to:  <b>ACCEPT DNP'S REQUEST TO BE DEEMED TO MEET THE REQUIREMENTS FOR UNQUALIFIED FACULTY NDAC 54-03.2-04-04 &amp; NDAC 54-03.2-04-08 FOR GRETA KNOLL- BSC AND DEBORAH SCHMITT – WSC AND SUZIE MCSHANE – BSC.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
5.26 Jamestown College report on Unqualified Faculty	<p><i>Discussion:</i> Shanta reported that Jamestown College has one unqualified faculty that is enrolled and progressing in the program. The program meets the requirements of the rules for unqualified faculty.</p> <p><i>Motion:</i> Olson, seconded by Case to:  <b>ACCEPT JAMESTOWN COLLEGE'S REPORT THAT DEMONSTRATES THE REQUIREMENTS FOR UNQUALIFIED FACULTY NDAC 54-03.2-04-04 &amp; NDAC 54-03.2-04-08 HAVE BEEN MET.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
5.27 University of Mary report on Unqualified Faculty	<p><i>Discussion:</i> Shanta reported that the University of Mary has three unqualified faculty and all are enrolled and progressing in a program.</p> <p><i>Motion:</i> Melland, seconded by Olson to:  <b>ACCEPT UNIVERSITY OF MARY'S REPORT THAT DEMONSTRATES THE REQUIREMENTS FOR UNQUALIFIED FACULTY NDAC 54-03.2-04-04 &amp; NDAC 54-03.2-04-08 HAVE BEEN MET.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
Unqualified Faculty	<p><i>Discussion:</i> The board discussed the continuing problem of unqualified faculty. Staff request that the board direct the Nursing Education Committee to study the issue of faculty qualifications and research how other states are addressing this issue.</p> <p><i>Motion:</i> Olson, seconded by Benson to:  <b>DIRECT THE NURSING EDUCATION COMMITTEE TO RESEARCH FACULTY QUALIFICATIONS AND MAKE A RECOMMENDATION TO THE BOARD AT MARCH 2006 BOARD MEETING.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
5.41 CE Approval for Regulatory Day	<p><i>Discussion:</i> The board reviewed the application for CE approval for the 1<sup>st</sup> annual Regulatory Day sponsored by the Board. The conference will be offered on November 2<sup>nd</sup> and will offer 6.4 contact hours for the day.</p> <p><i>Motion:</i> Melland, seconded by Schell to:  <b>ACCEPT THE APPLICATION FOR APPROVAL OF 6.4 CONTACT HOURS FOR "REGULATORY DAY -2005" OFFERED BY THE ND BOARD OF NURSING.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
5.42 Ratification of approval of workshop etc for contact hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of September 14, 2005 was reviewed for ratification.</p> <p><i>Motion:</i> Sund, seconded by Olson to:  <b>RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSE #558 THROUGH #560.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>

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<b>AGENDA ITEM</b>	<b>ACTION</b>
6.1 Request for Legal Opinion	<p><i>Discussion:</i> The board reviewed a letter from Brian Bergeson, SAAG, requesting an attorney general's opinion on the issue of social security number requirement for licensure. There have been two conflicting opinions from the attorney general's office regarding the issue, and board staff need clarification to be able to address issues for foreign nurse applicants for licensure.</p> <p><i>Motion:</i> Sund, seconded by Olson to:  <b>RATIFY THE REQUEST FOR OPINION REGARDING THE SOCIAL SECURITY NUMBER REQUIREMENT OF NDCC 43-50-02 FOR LICENSURE IN NORTH DAKOTA.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
6.2 Interlink of licensure database with Health Alert Network	<p><i>Discussion:</i> The board received the HRSA grant to update database so nurse licensure data could be transported to a central databank through the Health Alert Network (HAN). The Board of Pharmacy and Board of Medicine have also submitted data.</p> <p><i>Motion:</i> Olson, seconded by Case to:  <b>APPROVE SUBMISSION OF THE NORTH DAKOTA BOARD OF NURSING LICENSURE DATABASE TO THE HAN FOR USE DURING A STATE OR NATIONAL DISASTER.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, recuse.  8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
7.11 Request for Proposal – Use of Medication Assistants	<p><i>Discussion:</i> The board reviewed a proposal from UND Center for Rural Health for a project titled "Utilization of Medication Assistants in North Dakota". It was the only application to the Request For Proposal that was received. The budget for the proposal was \$10,000, but the proposal budget requests \$15,000. The board discussed the funding issue. It was also recommended that the study clearly define "medication assistant", to avoid confusion with the medical assistant.</p> <p><i>Motion:</i> Sund, seconded by Case to:  <b>REJECT THE REQUEST FOR PROPOSAL FROM UNIVERSITY OF ND CENTER FOR RURAL HEALTH FOR THE STUDY ENTITLED "UTILIZATION OF MEDICATION ASSISTANTS IN ND" AND RENEGOTIATE THE PROPOSAL WITH UND RURAL HEALTH TO MEET THE BUDGETED AMOUNT FOR THE PROJECT.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
7.12 – Administration of Medications – correspondence Board of Pharmacy	<p>The board reviewed correspondence from the ND Board of Pharmacy related to whether non-pharmacy personnel can relabel or repack prescriptions. The letter has clarified that relabeling and repackaging is the sole purview of the pharmacy profession</p>
7.13 Appointments to the Nurse Practice Committee & Prioritized Issues	<p><i>Discussion:</i> The board reviewed a list of names submitted to serve on the Nurse Practice Committee for 2005-2007. Staff have reviewed the list and made recommendations to provide a balance from education and practice.</p> <p><i>Motion:</i> Olson, seconded by Sund to:  <b>ACCEPT THE RECOMMENDED APPOINTMENTS TO THE NURSE PRACTICE COMMITTEE FOR 2005-2007.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Discussion:</i> At the July meeting, the board directed staff as to what areas were to be prioritized for Nursing Practice Committee research 2005-2006. Staff request the board more clearly define the topics to be considered. The board reviewed the following prioritized issues:</p> <ul style="list-style-type: none"> <li>◆ Use of telephone protocols for pre-determined prescriptions and over the counter medication – RN &amp; LPN – role and scope</li> <li>◆ Safety to practice – use of prescribed medication by nurses</li> <li>◆ Implementation of criminal background checks for licensure</li> <li>◆ Pain management position statement</li> <li>◆ Range order for medication administration</li> </ul> <p><i>Motion:</i> Sund, seconded by Schell to:  <b>ACCEPT THE RECOMMENDED PRIORITIZED ISSUES FOR THE NURSE PRACTICE COMMITTEE TO RESEARCH 2005-2006.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>

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7.14 Approval for registration – Surgical Technician	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for this agenda item. Three facilities have requested consideration by the board to review the issue of surgical technicians without formal training to qualifying for the Unlicensed Assistive Person registry. The issue arose when two facilities were surveyed by the ND Dept of Health and were cited for using surgical technicians who were not certified. The board reviewed a letter from Edward Erickson, SAAG, which states the interpretation of the Dept of Health, but also recommended the Board of Nursing review the issue under the board's delegation rules. The board rules do address technicians, and staff have prepared a proposed policy and procedure for the application process for technicians who are not certified or have not completed a formal training program, but have been trained "in house" by the facility or through another method. The board reviewed the definition of technician in the board's administrative code, and discussed what type of other education should qualify. Revisions to the policy were suggested to clarify the board's position.</p> <p><i>Motion:</i> Sund, seconded by Hegle to:  <b>APPROVE THE POLICY &amp; PROCEDURE FOR APPLICATION FOR INITIAL UNLICENSED ASSISTIVE PERSON REGISTRY FOR TECHNICIANS WITH A REVISION TO THE THIRD BULLET UNDER SECTION C. TO READ "DOCUMENTATION OF SKILL VALIDATION BY CURRENT EMPLOYER OR OTHER EDUCATION. THAT DOCUMENTATION MUST BE APPROVED BY THE BOARD".</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Discussion:</i> Six applications for surgical technicians have been submitted for review and approval by the board.</p> <p><i>Motion:</i> Sund, seconded by Olson to:  <b>APPROVE THE FOLLOWING APPLICATIONS FOR SURGICAL TECHNICIANS ON THE UNLICENSED ASSISTIVE PERSON REGISTRY (NDAC 54-05-04-04-1C):</b>  <b>ROGER DEGENSTEIN</b>  <b>MIKE SANDY</b>  <b>DESIREE VISTO</b>  <b>LYNETTE BURGARD</b>  <b>LOIS BURNS</b>  <b>CONNIE HENDRICKS</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
7.15 2006 LPN/VN Practice Analysis & Medication Aide/Technician Practice Analysis Studies	NCSBN is requesting nominations for a 2006 LPN/VN Practice Analysis and Medication Aide/Technician Practice Analysis Studies – Request for Nominations of Expert Panel Members. Board members will submit any potential nominees to the board office.
7.21 ND Nursing Program Use of Technology: A Statewide Assessment	The board reviewed the document "ND Nursing Program Use of Technology: A Statewide Assessment" prepared through the nursing needs study by UND Center for Rural Health. It was recommended that the Education Committee review the report for any recommendations.
7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> Eleven individuals have submitted an application for prescriptive authority since the last meeting.</p> <p><i>Motion:</i> Olson, seconded by Case to:  <b>RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:</b>  Kevin Schirado RN, Pys/MH                      Katherine Edwards RN,FNP  Susan Lorenz RN, FNP                              Jolene Engelhart RN, FNP  Wendy Haaland RN, FNP                          Tina Lundeen RN, FNP  Cheri Berge RN, FNP                                Stephanie Ziemann RN, FNP  Jacqueline Grunefelder, RN, FNP              Terry Granlund, RN,ANP  Heather Jacobson-Bauer, RN, FNP</p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.  9 yes, 0 no, 0 absent. Motion carried.</p>
7.32 Report from Prescriptive Authority Committee	The ND Board of Medical Examiners has reappointed Dr. Paul Knudsen to the Prescriptive Authority Committee. Patricia Dardis, FNP, CNS will serve as a representative of the Board of Nursing. Thomas D. Davis, PharmD., R.Ph name was submitted by the North Dakota Board of Pharmacy.

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AGENDA ITEM	ACTION
7.33 Recognition of Acute Care PNP Certification Examination	<p>Discussion: The Pediatric Nursing Certification Board had requested recognition for the Acute Care Pediatric Nurse Practitioner certification examination from the board in March 2005. The examination did not meet the criteria established by NCSBN for advanced practice certification examinations at that time. The Pediatric Nursing Certification Board has requested reconsideration in light of additional information regarding this examination. The examination now meets the criteria established by NCSBN and is now included on their list of approved certification examinations. The board recommends staff use the established criteria developed by NCSBN in approving certification examinations.</p> <p>Motion: Olson, seconded by Hegle to:  <b>UTILIZE THE CRITERIA ESTABLISHED BY NATIONAL COUNCIL OF STATE BOARDS OF NURSING ENTITLED APRN CERTIFICATION PROGRAM CRITERIA COMPARISON FOR RECOGNITION OF APRN CERTIFICATION EXAMINATIONS UTILIZED AS A REQUIREMENT FOR LICENSURE OF THE APRN.</b></p> <p><i>Roll call vote:</i> Benson, yes; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            9 yes, 0 no, 0 absent. Motion carried.</p>
7.52 Interim Budget Committee on Healthcare	The board reviewed the minutes of the July 27, 2005 Budget Committee on Health Care meeting. Kalanek attended the meeting and shared a document that she had presented to the committee.
7.53 Health professional boards and commissions questionnaire	Legislative Council has requested completion of a questionnaire from health care related boards. The board reviewed the questionnaire and responses submitted by Kalanek. The study of allied health boards is being monitored by APT, Inc., and the board agreed to discuss the topic with APT at the November meeting.
7.6 Website & Renewal	The website is currently being redesigned and is scheduled to be available with on-line renewal on October 1 <sup>st</sup> .
7.7 Staff Reports	Bitz reported that Bob Upgren will be the keynote speaker for the 1 <sup>st</sup> annual Regulatory Day sponsored by the ND Board of Nursing which will be held November 2, 2005 at the Kelly Inn in Bismarck. The western and central part of the state will be sent brochures for this conference. The 2006 Regulatory Day will be held in Fargo with the eastern part of the state as the targeted audience.
7.72 NCLEX Update – Oct 14, 2005	Staff will present a train the trainer session for NCLEX testing and the application process. The first presentation is scheduled in Bismarck on October 14, 2005, and the second presentation will be on February 16 in Fargo. Location TBA.
10.13 TERCAP Presentation – Bitz	Bitz gave a presentation reviewing NCSBN's TERCAP Research Project and the goals of the project. TERCAP stands for Taxonomy of Error, Root Cause Analysis and Practice-Responsibility. The purpose of the project is to identify precursors to error and practice breakdown. Bitz serves on the TERCAP Committee.

## CONSENT AGENDA:

8.1 NCSBN
8.11 Resource Fund for Regulatory Day
8.12 Position Statement – Nursing Regulation and the Interpretation of Nursing Scopes of Practice
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 WHO Partners with Joint Commission
8.33 Licensure Discipline: A challenge for Board of Nursing – and Nurses
8.34 Letter from certifying organizations
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN – none
8.64 NCLEX-PN - none
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report

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8.8 Legal Counsel
8.9 Education
8.91 NEL Thank you letter
8.92 St Alexius notification of out-of-state clinical experience for Resident RN Nurse Anesthetists from Texas Wesleyan University
8.93 Northland Community College notification of out-of-state ADN student clinical experiences
8.94 University of SD notification of out-of-state ADN student clinical experiences
8.95 MSCTC notification of out-of-state PN program clinical experiences in ND
8.96 Northland Community College notification of out-of-state PN student clinical experiences
8.97 Dakota Nurse Program confirmation of degree requirement for April Hall, MSN, RN

## **BOARD COMMITTEES:**

9.1 Workplace Impairment Program Committee
9.2 Nursing Education Committee -November 16, 2005
9.3 Finance Committee
9.4 Executive Committee
9.5 Prescriptive Authority Committee – January 18, 2006 @ 5:00 p.m.
9.6 Nursing Practice Committee - October 27, 10-3:00 Jamestown

## **UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:**

10.1 NCSBN Annual Meetings – August 2-5, 2005
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.21 National and State Policy
10.22 Education Consultants
10.23 Discipline Networking
10.24 EO Network
10.25 NLCA Meeting
10.26 Board of Directors Meeting – August 29-31, 2005
10.27 Item Review Subcommittee, Olson & Shanta – August 23-26, 2005
10.28 Mid-Year Meeting, March 13-15, 2006
10.29 Commitment to Ongoing Regulatory Excellence
10.3 Annual Institute of Regulatory Excellence – January 9-11, 2006
10.4 ND Nurse Leadership Council
10.5 NCSBN Executive Officers Seminar
10.6 ND Organization of Nurse Executives
10.7 ND Nurses Association, September 30 – October 1, 2005 – Minot
10.8 ND Rural & Public Health Conference – March 22-24, 2006 – Fargo
10.9 ND LTCA Conference – September 21-23, 2005 – Bismarck
10.10 ND Health Care Association Annual Meeting – September 28-30, 2005 – Bismarck
10.11 NCSBN Practice Breakdown Research Advisory Panel Meeting – September 26-27, 2005 – Bitz
10.12 Budget Committee on Health Care – July 27, 2005 – Kalanek
10.13 National Academy for State Health Policy, Nashville, TN – August 7-9, 2005 – Bitz
10.14 Nurse Retention & Quality Improvement: Rural Models that Work – August 17, 2005
10.15 Prescription Drug Monitoring Program Workgroup – August 24, 2005 – Bitz
10.16 NDSU College of Pharmacy Annual Student Recognition Program – September 22 – Case
10.17 NDDOH meeting on submission of HIPDB data – Kalanek & Bitz
10.18 Burleigh County HR Department – Medication Admin in Jails – Kalanek & Hill



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### **Staff Presentations:**

- 11.1 Delegating Effectively – SCCI – September 1, 2005 – Kalanek - cancelled
- 11.2 NPA/Discipline/WIP – Medcenter One College of Nursing – August 29, 2005 – Bitz
- 11.3 NCLEX Update – October 14, 2005 – Board office – Kalanek, Shanta, Schwan
- 11.4 Regulatory Day – November 2, 2005 – Bismarck – Board Staff

### **Board Leadership Development**

- 12.1 Board Governance Model
  - 12.11 Revised name and address list
- 12.2 Dakota Nurse Connection – Sept/Oct 9/15/05
- 12.3 Role of a Board Member
  - 12.31 Governance
  - 12.32 Benson orientation
  - 12.33 Contributions to miscellaneous fund –
- 12.4 Board Meeting Evaluation

**The meeting recessed for lunch from noon to 11:55 a.m. to 1:00 p.m. on September 15th.**

**The meeting adjourned at 3:15 p.m. on September 15<sup>th</sup>.**

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Constance B. Kalanek, RN, PhD  
Executive Director  
Draft 9/16/05